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7 Attorneys for Plaintiffs

8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 **E VERRICK WISE** an individual, **NOEL**
11 **RUSSELL**, an individual,

12 Plaintiffs,

13
14 v.

15
16 **STATE FARM GENERAL INSURANCE**
17 **COMPANY**, an Illinois corporation, and
18 **DOES 1 through 10**,

19 Defendants.

Case No. 4:23-cv-00163-HSG

**DECLARATION OF CHRISTOPHER
CARLING IN SUPPORT OF
PLAINTIFFS' ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED**

[LOCAL RULES 7-11 & 75-5(f)]

*[Filed Concurrently with the Notice of Motion
and Motion and a [Proposed] Order.]*

Judge: Hon. Haywood S. Gilliam

Complaint filed: January 12, 2023
Trial Date: July 22, 2024

1 I, Christopher Carling, declare as follows:

2 1. I am an attorney duly admitted to practice in the State of California, and I am an
3 attorney with Kerley Schaffer, LLP, counsel of record for plaintiffs E Verrick Wise and Noel
4 Russell ("Plaintiffs") in this matter. I have personal knowledge of all facts stated herein, except
5 where expressly stated on information and belief, and if called as a witness, I could and would
6 testify competently thereto.

7 2. During the course of this lawsuit Defendant State Farm Gen. Ins. Co. ("State
8 Farm") Liberty produced documents pursuant to its Rule 26 obligations. In addition, Plaintiffs
9 served State Farm's counsel with a series of requests for production, including a request that
10 Liberty produce its entire claim file as well as requests that Liberty produce claims handling
11 guidelines and manuals and training documents related to the investigation of water loss claims.
12 In response to the Rule 26 requirements and the discovery requests, Liberty produced a number
13 of documents. Claims manuals, guidelines and training documents produced by State Farm bear
14 the Bates Number prefix/suffix "WISEV____PROD".

15 3. Plaintiffs will file their Motion for Partial Summary Judgment on January 9, 2024,
16 concurrently with this administrative motion. In support of their dispositive motion, Plaintiffs
17 seek to include among its documentary evidence (a) Exhibit R, a portion of the State Farm
18 internal claims-handling guidelines, and (b) Exhibit X, a training document relating to coverage
19 analysis of water loss claims. Both potential exhibits have been previously marked as
20 "CONFIDENTIAL" by State Farm's lawyers pursuant to the terms of the Protective Order
21 entered in this case.

22 4. The first document (Exhibit R) that is subject to this administrative motion was
23 produced by State Farm and bears Bates Nos. WISEV00000143PROD through
24 WISEV00000144PROD. The document is titled "State Farm Premier Service® Program
25 (SFPSP) Mitigation Services Program".

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